IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Crl.Rev.Pet.No. 532 of 2006()

CRA.102/2001 of ADDL.SESSIONS COURT, THALASSERY
CC.506/1996 of JUDL.MAGISTRATE OF FIRST CLASS COURT, PAYYANNUR

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REVN. PETITIONER: APPELLANT/ACCUSED

N.A.V.ABDULLA, MANAGING PARTNER,
MUGHAPATHRAM PUBLICATIONS, KELOTH,
PAYYANNUR, KANNUR DISTRICT.

BY ADV. SRI.GRASHIOUS KURIAKOSE

RESPONDENTS: COMPLAINANT AND STATE

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1. K.T.RAVUNNI, MANAGING PARTNER,
GOOD LUCK STATIONARY,
PAYYANNUR.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.M.M.ANTO

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.HEMA, J.

CRL.R.P.NO.532 OF 2006

Dated this the 21st day of December, 2006

O R D E R

Revision Petitioner is the accused in C.C.No.506 of 1996 on the file of the Judicial First Class Magistrate's Court, Payyannur. First respondent is the complainant therein. Revision petitioner was convicted and sentenced to undergo simple imprisonment for six months and also directed to pay compensation of Rs.5,000/- to the complainant in default of payment to undergo simple imprisonment for two months under Section 138 of the Negotiable Instruments Act. In appeal filed by him, the conviction and sentence were confirmed by the Additional Sessions Court, Thalassery. This revision arises from the said conviction and sentence.

2. At the time of hearing, both sides submitted that a petition as Crl.M.Appl.No.13224 of 2006 is filed for compounding the offence. It is also submitted by both sides that the matter is settled out of court amicably between the parties. On hearing both sides and on going through the averments in the petition, I am satisfied that this is a fit case to grant permission to compound the offence.

In the result, revision petitioner is acquitted of offence under Section 138 of the Negotiable Instruments Act, as offence is compounded. He is set at liberty forthwith.

Crl.M.Appl.No.13224 OF 2006 and the revision petition are allowed.

K.HEMA, JUDGE

vgs.